



**MEMO ENDORSED**

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June 27, 2023

**VIA ECF**

The Honorable Katherine Polk Failla  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Room 2103  
New York, NY 10007

Re: *Huzhou Chuangtai Rongyuan Investment Management Partnership, et al. v. Hui Qin*, Case No. 21 Civ. 9221 (KPF) – **Petitioners’ Request for Leave to File Documents with Redactions and Under Seal**

Dear Judge Failla:

We write on behalf of Petitioners Huzhou Chuangtai Rongyuan Investment Management Partnership, Huzhou Huihengying Equity Investment Partnership, and Huzhou Huirongsheng Equity Investment Partnership (“Petitioners”) to request leave to file certain documents with redactions and certain documents under seal, pursuant to the parties’ Stipulated Protective Order dated January 3, 2023, Dkt. No. 92.

In conjunction with Petitioners’ Renewed Motion for Sanctions against Seiden Law LLP (“Renewed Sanctions Motion”) filed contemporaneously herewith, Petitioners respectfully request to file their Memorandum of Law in Support of their Renewed Sanctions Motion (the “Memorandum of Law”) with redactions pursuant to Rule 9(B) of Your Honor’s Individual Rules of Practice in Civil Cases. Petitioners respectfully request to file under seal the following exhibits to the Declaration of Carol Lee, dated June 27, 2023 (“Lee Decl.”) pursuant to Rule 9(C) of Your Honor’s Individual Rules of Practice in Civil Cases:<sup>1</sup>

Exhibit	Description
Lee Decl. Ex. 2	A copy of a document containing correspondence from a bank, marked Confidential and produced in this action
Lee Decl. Ex. 3	A copy of a document containing correspondence with a bank, marked Confidential and produced in this action

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<sup>1</sup> Petitioners seek to file the following documents under seal to be accessed by Your Honor and Respondent Hui Qin (“Qin”). Exhibit 10 to the Lee Decl. was produced to Petitioners with redactions.

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<b>Lee Decl. Ex. 4</b>	A copy of a document containing correspondence with a bank, marked Confidential and produced in this action
<b>Lee Decl. Ex. 5</b>	A copy of a document containing correspondence from a bank, marked Confidential and produced in this action
<b>Lee Decl. Ex. 6</b>	A copy of a document containing correspondence with a bank, marked Confidential and produced in this action
<b>Lee Decl. Ex. 7</b>	A letter from Seiden to Petitioners' counsel, dated March 22, 2023, attaching an exhibit containing Seiden's summary of Qin's productions
<b>Lee Decl. Ex. 8</b>	A document containing a picture of a credit card, marked Confidential and produced in this action
<b>Lee Decl. Ex. 9</b>	A copy of a document containing an email to Qin's counsel, dated April 24, 2023, marked Confidential and produced in this action
<b>Lee Decl. Ex. 10</b>	A copy of a document containing an invoice from Qin's counsel, dated October 18, 2022, marked Confidential and produced in this action
<b>Lee Decl. Ex. 11</b>	A copy of a document containing tax return information, marked Confidential and produced in this action
<b>Lee Decl. Ex. 13</b>	A copy of a document containing tax return information, marked Confidential and produced in this action
<b>Lee Decl. Ex. 20</b>	A copy of a document containing tax return information, marked Confidential and produced in this action

Pursuant to Rule 9 of Your Honor's Individual Rules of Practice in Civil Cases, a party seeking to file a document under seal must address the presumption in favor of public access to judicial documents. The Second Circuit set forth the relevant standard *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110 (2d Cir. 2006). Under *Lugosch*, "[t]here is a common law presumption in favor of permitting public access to judicial documents, which are those documents 'relevant to the performance of the judicial function and useful in the judicial process.'" *GoSMiLE, Inc. v. Dr. Jonathan Levine, D.M.D. P.C.*, 769 F. Supp. 2d 630, 649 (S.D.N.Y. 2011) (quoting *Lugosch*, 435 F.3d at 119). A court balances this common law presumption of access against competing comparisons, including "the privacy interests of those resisting disclosure." *Lugosch*, 435 F.3d at 120 (quoting *United States v. Amodio*, 71 F.3d 1044, 1050 (2d Cir. 1995)). Thus, the issue is whether "the privacy interests of the defendants outweigh the presumption of public access." *GoSMiLE*, 769 F. Supp. 2d at 649-50.

Here, the Memorandum of Law and Lee Decl. Exhibits 2-11, 13, and 20 each contain sensitive personal and/or financial information, such as Qin's bank account information and tax return information. Certain of these documents were also marked Confidential pursuant to the Stipulated Protective Order by Qin. The parties' interest in protecting confidential information, specifically Qin's sensitive personal information, overcomes the presumption of access. Indeed, Your Honor has previously granted Petitioners' request to file under seal certain exhibits to protect certain sensitive personal and/or financial information, which was clearly visible. *See* Dkts 112, 177.

Because these documents contain confidential information of the kind that is deserving of protection and restricting public access, Petitioners respectfully request that the Court grant their

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request to redact the Memorandum of Law and to file Lee Decl. Exhibits 2-11, 13, and 20 under seal.

Respectfully submitted,

/s/ Geoffrey Sant  
Geoffrey Sant

cc: All counsel of record (via ECF)

Application GRANTED. The Clerk of Court is directed to maintain docket entry 183 under seal, viewable only to the parties and the Court.

The Clerk of Court is further directed to terminate the motion at docket entry 180.

Dated: June 27, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE